



Timothy R. Woods #213457
Name and Prisoner/Booking Number

A.S.P.C. - Eyman / SMU #1
Place of Confinement

P.O. Box 4000
Mailing Address

Florence, AZ 85132
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Timothy Ray Woods
(Full Name of Plaintiff) Plaintiff,

vs.

(1) Steve Horath #759
(Full Name of Defendant)

(2) Robert Valenzuela #A8501

(3) _____

(4) _____

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

CASE NO. CIV'11 088 9 PHX SRB ECV
(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT
BY A PRISONER

JURY Trial Demanded,

- ☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

- This Court has jurisdiction over this action pursuant to:
 - ☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
 - ☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
 - ☐ Other: _____
- Institution/city where violation occurred: Fourth Avenue Jail / Phoenix

B. DEFENDANTS

1. Name of first Defendant: Steve Horath #759. The first Defendant is employed as:
Maricopa County Sheriff's Office - Deputy at Fourth Avenue Jail.
(Position and Title) (Institution)
2. Name of second Defendant: Robert Valenzuela #A8501. The second Defendant is employed as:
Maricopa County Sheriff's Office - Detention Officer at Fourth Avenue Jail.
(Position and Title) (Institution)
3. Name of third Defendant: _____ The third Defendant is employed as:
_____ at _____
(Position and Title) (Institution)
4. Name of fourth Defendant: _____ The fourth Defendant is employed as:
_____ at _____
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: Timothy Ray Woods v. Maricopa County Sheriff, et al.
 2. Court and case number: CV 10-1955-PHX-SRB (ECV)
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) Dismissed without prejudice. Not appealed.
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

COUNT I

State the constitutional or other federal civil right that was violated: Eighth Amendment
~~and~~ right to be free from excessive force.

2. Count I. Identify the issue involved. Check only one. State additional issues in separate counts.

- ☐ Basic necessities ☐ Mail ☐ Access to the court ☐ Medical care
☐ Disciplinary proceedings ☐ Property ☐ Exercise of religion ☐ Retaliation
☒ Excessive force by an officer ☐ Threat to safety ☐ Other: _____

3. Supporting Facts. State as briefly as possible the FACTS supporting Count I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

On 5/20/2010 at approximately 11:45 hrs., I, Timothy Ray Woods was being escorted back to the Fourth Avenue Jail from court while traveling through the Fourth Avenue tunnel, I was assaulted by two (2) Maricopa County Sheriff's Office employees, Deputy Steve Horath #759 and Detention Officer Robert Valenzuela #A8501. Both officers previously stated slammed me into the wall and then into the ground where I was kneeled and punched several times. During the time of assault I was FULLY RESTRAINED in CLOSE-CUSTODY RESTRAINTS. A police report for AGGRAVATED ASSAULT was filed by MCSO Internal Affairs Detective C. Osborn #1232. The assault was captured on the institutional surveillance system. Pictures of my physical injuries were taken and should be in the police report forementioned.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

Cuts and bruises to my head, torso, arms and knees and legs. Chronic Back Pain.

5. Administrative Remedies:

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
 b. Did you submit a request for administrative relief on Count I? ☒ Yes ☐ No
 c. Did you appeal your request for relief on Count I to the highest level? ☐ Yes ☒ No
 d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Grievance process did not warrant any level of appeal. All "available" relief was received.

E. REQUEST FOR RELIEF

State the relief you are seeking:

I am seeking monetary relief in the amount of ten million dollars (\$10,000,000.00 U.S.).

declare under penalty of perjury that the foregoing is true and correct.

Executed on 4/21/2011
DATE


SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages.

Inmate Timothy Ray Woods
ADC # 213457
Arizona State Prison Complex Eyman
Unit SMU #1
P.O. BOX 4000
Florence AZ 85132



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MAY 03 2011

RICHARD H. WEARE, CLERK
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Clerk, United States District Court
Sandra Day O'Connor U.S. Courthouse
401 W. Washington St., SPC-1
Phoenix, AZ 85003-2118